



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,743	10/16/2002	Kazukuni Hiraoka	PLM 1003-02US	9159

28327 7590 10/03/2003

THE LAW OFFICE OF JOHN A. GRIECCI
703 PIER AVE., SUITE B #657
HERMOSA BEACH, CA 90254

EXAMINER

RADA, ALEX P

ART UNIT PAPER NUMBER

.3714.

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/042,743

Applicant(s)

HIRAOKA ET AL.

Examiner

Alex P. Rada

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/238,967.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7. 6) ☐ Other: _____

DETAILED ACTION

In response to the amendment filed July 15, 2003 in which the applicant has amended claims 1, 13, and 14, adds new claims 17-19, and claims 1-19 are pending in this office action.

Specification

1. The abstract of the disclosure is objected to because the abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morioka '111 in view of Itai '709.

4. Morioka discloses a game machine having a memory device storing three-dimensional data related to a plurality of objects and a game program, an input device (simulated gun, not

Art Unit: 3714

shown), a display (100), a processing device, (18) having a game program with three-dimensional data prospectively converting images in an animate manner, (see Abstract), a process in which close objects are partly focused to which further objects are blurred and the information that represents objects and colors are rendered and processed (column 1, line 13 – column 3, line 38, at least) as recited in claims 1, 13, and 17; the three-dimensional data having at least a plurality of polygon-apex information representing objects and color information corresponding to the individual polygons as determined by the polygon information and a plurality of objects located in the world coordinate system on the projection surface and the objects are processed at the time of the texturing mapping in which the color information is mapped on the polygons and blurring operations are performed according to the depths of the objects as recited in claim 2 (column 1, line 41 – column 10, line 61 and figures 1-11). Mori does not expressly disclose specific objects or the specific portion thereof as is playable by game players and determining the objects of specific portion thereof as being in focus according to operation performed by a player as recited in claims 1, 13, and 17.

Itai discloses a gaming device having objects (plurality of enemies) or specific portion (specific enemy) being playable (focus) by a player as recited in claim 1 and 13. By having objects of specific portions thereof being playable by game players, one of ordinary skill in the art would provide game players with the ability of easily and rapidly identifying characters on the display screen in a shooting type game RPG (Role Playing Game) game. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention was made to modify Morioka to include specific objects or the specific portion thereof as is playable by game players and determining the objects of specific portion thereof as being in focus

Art Unit: 3714

according to operation performed by a player as taught by Itai. To do so would provide game players with the ability of easily and rapidly identifying characters on the display screen in a shooting type game RPG (Role Playing Game) game.

5. Claims 3-12 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morioka `111 in view of Itai `709 as applied to claims 1-2, 13, and 17 above, and further in view of Sato `517.

6. Morioka in view Itai disclose the claimed invention as discussed above except for a specific object of the specific portion of the object as recited in claims 3 and 18; the focused objects is displayed in the center of the display as recited in claims 4 and 14; the specific object displayed or specific portion of the specific object determined as being in focus is se by the player through use of a line of sight and determine the basis of the position of the point of view of the player on a monitor screen as recited in claims 5-6 and 15-16; the blurring operations constitute processing in which blurring is reflected on both the objects located nearer to the projection surface and the objects located deeper, relative to the specific object determined as being in focus of the specific portion of the object as recited in claims 7-12; the input device includes a sensor configured to sense the view-point upon which the player's view is centered on the display, and wherein the identified object or object portion is determined from the location of the view-point as recited in claim 19.

Sato teaches an image display apparatus having the player choosing a specific object or the specific portion of the object (figures 1-4), the focused objects being displayed in the center of the display (figures 1-4), the specific object displayed or specific portion of the specific object determined as being in focus is se by the player through use of a line of sight sensor (abstract), in

Art Unit: 3714

which the examiner interprets to be the detector which is a functional equivalent to the line of sight sensor which performs the same function (figures 5-12), and determine the basis of the position of the point of view of the player on a monitor screen, and the blurring operations constitute processing in which blurring is reflected on both the objects located nearer to the projection surface and the objects located deeper, relative to the specific object determined as being in focus of the specific portion of the object, and the input device includes a sensor configured to sense the view-point upon which the player's view is centered on the display, and wherein the identified object or object portion is determined from the location of the view-point (column 1, line 58 – column 8, line 55). By having a specific object focused on while the surrounding area is defocused using a line of sight sensor (detector), one of ordinary skill in the art would be able to provide game players with added realism of depth perception in a game.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention was made to modify Morioka\Itai to include the player choosing a specific object or the specific portion of the object, the objects being displayed in the center of the display, the specific object displayed or specific portion of the specific object determined as being in focus is seen by the player through use of a line of sight and determine the basis of the position of the point of view of the player on a monitor screen, and the blurring operations constitute processing in which blurring is reflected on both the objects located nearer to the projection surface and the objects located deeper, relative to the specific object determined as being in focus of the specific portion of the object, and the input device includes a sensor configured to sense the view-point upon which the player's view is centered on the display, and wherein the identified object or object portion is determined from the location of the view-point

Art Unit: 3714

as taught by Sato. To do so would provide game players with realistic imaging and natural realism of depth perception in a game.

Response to Arguments

7. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Totsuka '842, Takeuchi '598, and Itai '204 all disclose types of image processing means for gaming systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex P. Rada whose telephone number is 703-308-7135. The examiner can normally be reached on Monday - Friday, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

APR
apr


S. THOMAS HUGHES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700